

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION
AT RICHMOND, JULY 14, 2023

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PETITION OF

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VIRGINIA ELECTRIC AND POWER COMPANY

CASE NO. PUR-2023-00112

For a financing order authorizing the issuance of
deferred fuel cost bonds pursuant to Va. Code
§ 56-249.6:1

ORDER FOR NOTICE AND HEARING

On July 3, 2023, Virginia Electric and Power Company ("Dominion" or "Company")
filed a petition ("Petition") with the State Corporation Commission ("Commission"), pursuant to
Code § 56-249.6:1, for a financing order to finance certain deferred fuel cost balances through
deferred fuel cost bonds.¹ Specifically, the Company seeks:

- i. To finance the deferred fuel costs and associated up-front financing costs through securitization;
- ii. For approval of the proposed securitization financing structure;
- iii. For approval to sponsor the issuance of deferred fuel cost bonds secured by the pledge of deferred fuel cost property, in one or more series or tranches in an aggregate principal amount not to exceed the securitizable balance as of the date the first series deferred fuel cost bonds are issued;
- iv. For approval of the financing costs, including up-front financing costs incurred in connection with the issuance of deferred fuel cost bonds and on-going financing costs;
- v. For approval to create deferred fuel cost property, including the right to (i) impose, bill, charge, collect and receive non-bypassable deferred fuel cost charges sufficient to recover the principal of, and interest on, the deferred fuel cost bonds and on-going financing costs, and (ii) obtain periodic formulaic adjustments to the deferred fuel cost property; and

¹ Pursuant to Code § 56-249.6:1 A, the Commission must either issue a Financing Order or an Order rejecting the Company's Petition no later than four months from the date the Petition was filed. Dominion included a proposed Financing Order as Exhibit B to the Petition.

vi. For approval of the tariff to implement the deferred fuel cost charges.²

During its 2023 Session, the Virginia General Assembly enacted Chapters 775 (HB 1770) and 757 (SB 1265) of the 2023 Virginia Acts of Assembly ("Legislation"). The Legislation became effective on July 1, 2023. As stated in the Petition, the Legislation, *inter alia*, creates a new financing vehicle, utility cost recovery charge securitization, that may be used by an electric utility to recover certain deferred fuel costs, as codified at Code § 56-249.6:1.³ Under the Legislation, an electric utility may seek authorization to issue deferred fuel cost bonds with lower financing costs that are secured by deferred fuel cost property and include a dedicated fuel cost charge that is separate and distinct from the utility's base rates or fuel factor on customer bills.⁴

Historically, Dominion has recovered its prudently incurred fuel expenses on a dollar-for-dollar basis from its customers through an annual fuel factor adjustment process prescribed by law ("fuel factor").⁵ Dominion's total fuel factor consists of a current period factor ("Current Period Factor") and a prior period factor ("Prior Period Factor"). Generally, the Prior Period Factor includes any fuel deferral balance, which reflects the under-recovery or over-recovery of actual fuel expenses after applying revenues collected through the fuel factor.⁶ The Company asserts that the fuel deferral balance continues to be substantial, due in part to

² Petition at 1-2.

³ See Code § 56-249.6:1; Petition at 4.

⁴ See Code § 56-249.6:1; Petition at 5.

⁵ Petition at 3.

⁶ *Id.*

significant marketplace commodity price increases during the prior fuel period.⁷ Specifically, Dominion's projected June 30, 2023 fuel deferral balance is approximately \$1.275 billion.⁸ This balance represents the sum of the projected June 30, 2023 under-recovery of expenses during the July 1, 2022 to June 30, 2023 fuel period, and two-thirds of the remaining June 30, 2022 fuel deferral balance under a three-year mitigation plan adopted by the Commission in Case No. PUR-2022-00064.⁹

As discussed further in the May 12, 2023 Order Establishing 2023-2024 Fuel Factor Proceeding in Case No. PUR-2023-00067, were the Company to seek recovery of both the Current Period Factor and the Prior Period Factor through the fuel factor, a typical residential customer using 1,000 kilowatt-hours ("kWh") per month would see a net increase of \$7.92 per month for the period of July 1, 2023 to June 30, 2024, which is comprised of a \$14.72 recovery of prior period charges and a \$6.79 reduction in current period charges.¹⁰ Instead, in Case No. PUR-2023-00067, Dominion supports implementation of only the Current Period Factor through the fuel factor, which represents a decrease of \$6.79 per month beginning July 1, 2023 for a residential customer using 1,000 kWh per month.¹¹

⁷ *Id.* See also *Application of Virginia Electric and Power Company, To revise its fuel factor pursuant to Va. Code § 56-249.6*, Case No. PUR-2023-00067, Doc. Con. Cen No. 230530184, Order Establishing 2023-2024 Fuel Factor Proceeding (May 12, 2023).

⁸ Petition at 4.

⁹ *Id.* See also *Application of Virginia Electric and Power Company, To revise its fuel factor pursuant to § 56-249.6 of the Code of Virginia*, Case No. PUR-2022-00064, Doc. Con. Cen. No. 220320050, Order Establishing 2022-2023 Fuel Factor (Sept. 16, 2022).

¹⁰ Petition at 4; *Application of Virginia Electric and Power Company, To revise its fuel factor pursuant to Va. Code § 56-249.6*, Case No. PUR-2023-00067, Doc. Con. Cen No. 230530184, Order Establishing 2023-2024 Fuel Factor Proceeding (May 12, 2023).

¹¹ Petition at 4 n.5; *Application of Virginia Electric and Power Company, To revise its fuel factor pursuant to Va. Code § 56-249.6*, Case No. PUR-2023-00067, Doc. Con. Cen No. 230530184, Order Establishing 2023-2024 Fuel Factor Proceeding (May 12, 2023).

Rather than seeking to implement the Prior Period Factor through the fuel factor, Dominion requests authorization in the present proceeding, pursuant to the Legislation, to issue deferred fuel cost bonds in the amount of approximately \$1.2702 billion, which consists of approximately \$1.2578 billion of deferred fuel costs plus approximately \$12.410 million of up-front financing costs to issue the deferred fuel cost bonds.¹² Dominion states that this amount is an estimate of the June 30, 2023 fuel deferral balance, reduced by the share attributable to the customers who are able to, and elected to, opt out of, or are exempt from, the fuel securitization bond financing.¹³ The Company further states that in early August, it will make a supplemental filing in this docket to update the final fuel deferral balance, and that once the final balance is known, it will be able to calculate the final amount that will be subject to securitization.¹⁴

Dominion seeks to utilize a special purpose entity to issue securitized bonds to finance the fuel deferral balance as of June 30, 2023.¹⁵ The Company asserts that the proceeds from these bonds would be used to satisfy the unrecovered fuel balance and reduce the near-term impact to customers.¹⁶

According to Dominion, the amortization of these bonds would be structured to provide an annual revenue requirement (including payments of interest, principal, and ongoing financing costs) over the term of the securitization period.¹⁷ Customers subject to the fuel securitization

¹² Petition at 7.

¹³ *Id.*

¹⁴ *Id.* at 7, n.7.

¹⁵ *Id.* at 7.

¹⁶ *Id.*

¹⁷ *Id.* at 8.

would be billed a separate non-bypassable fuel securitization charge on a per kWh basis ("Deferred Fuel Cost Charge") beginning soon after the issuance of the bonds, which, if approved by the Commission, is expected to occur in early 2024.¹⁸ The Deferred Fuel Cost Charge would be subject to periodic true-ups to ensure that the revenue requirements associated with the bonds are received on a timely basis.¹⁹

In its Petition, Dominion analyzed two transaction structures for the bonds – one with a scheduled final maturity date of approximately seven years, and one with a scheduled final maturity date of approximately ten years.²⁰ The Company states that an approximately seven-year amortization of the deferred fuel cost bonds would result in an estimated initial monthly charge to a typical residential customer using 1,000 kWh per month of \$3.05, and the approximately ten-year amortization bond structure would result in an estimated initial monthly charge of \$2.29.²¹ As the Company notes, these bill impacts are estimates, as the actual interest rates, terms, tranches, and other characteristics of the bonds will be determined at the time of pricing of the bonds and will depend on prevailing market conditions.²²

NOW THE COMMISSION, upon consideration of this matter, is of the opinion and finds that Dominion should provide public notice of its Petition; hearings should be scheduled for the purpose of receiving testimony from public witnesses and evidence on the Petition; interested persons should have an opportunity to file comments on the Petition or to participate as

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ *Id.* at 8-9.

²¹ *Id.* at 10.

²² *Id.* at 9.

respondents in this proceeding; and Commission Staff ("Staff") should be directed to investigate the Petition and file testimony and exhibits containing its findings and recommendations thereon.

In Case No. PUR-2023-00067, the Company proposed that the current proceeding and Case No. PUR-2023-00067 be consolidated.²³ In the Order Establishing 2023-2024 Fuel Factor Proceeding in Case No. PUR-2023-00067, we found it might be appropriate for the procedural schedules for the current docket and the Company's fuel factor proceeding to be consolidated, but stated we would consider the issue after the current Petition had been filed. Now, upon consideration of both filings, we find that for purposes of judicial economy the procedural schedules in this docket and Case No. PUR-2023-00067 should be combined for all purposes including discovery, prefiling testimony, and hearing dates – without the cases or case numbers being consolidated – to the extent practicable, as set forth herein.

We also direct the Hearing Examiner appointed in Case No. PUR-2023-00067 to conduct all further proceedings in this matter on behalf of the Commission as described herein, including filing a final report containing the Hearing Examiner's findings and recommendations.

To promote administrative efficiency and timely service of filings upon participants, the Commission will, among other things, direct the electronic filing of testimony and pleadings unless they contain confidential information, and require electronic service on parties to this proceeding.

Accordingly, IT IS ORDERED THAT:

- (1) This matter is docketed and assigned Case No. PUR-2023-00112.

²³ See *Application of Virginia Electric and Power Company, To revise its fuel factor pursuant to § 56-249.6 of the Code of Virginia*, Case No. PUR-2022-00064, Doc. Con. Cen. No. 220320050, Order Establishing 2022-2023 Fuel Factor at 6 (Sept. 16, 2022).

(2) To the extent practicable, for all purposes including discovery, prefilings testimony, and hearing dates, the procedural schedules in this docket and Case No. PUR-2023-00067 shall be combined – without the cases or case numbers being consolidated – as set forth in this Order. All filings shall refer to Case Nos. PUR-2023-00067 and PUR-2023-00112.

(3) All pleadings in this matter shall be submitted electronically to the extent authorized by 5 VAC 5-20-150, *Copies and format*, of the Commission's Rules of Practice and Procedure ("Rules of Practice").²⁴ Each pleading shall be filed in both Case Nos. PUR-2023-00067 and PUR-2023-00112. Confidential and Extraordinarily Sensitive Information shall not be submitted electronically and should comply with 5 VAC 5-20-170, *Confidential information*, of the Rules of Practice. Any person seeking to hand deliver and physically file or submit any pleading or other document shall contact the Clerk's Office Document Control Center at (804) 371-9838 to arrange the delivery.

(4) Pursuant to 5 VAC 5-20-140, *Filing and service*, of the Rules of Practice, the Commission directs that service on parties and the Staff in this matter shall be accomplished by electronic means. Concerning Confidential or Extraordinarily Sensitive Information, parties and the Staff are instructed to work together to agree upon the manner in which documents containing such information shall be served upon one another, to the extent practicable, in an electronically protected manner, even if such information is unable to be filed in the Office of the Clerk, so that no party or the Staff is impeded from preparing its case.

(5) As provided by Code § 12.1-31 and 5 VAC 5-20-120, *Procedure before hearing examiners*, of the Rules of Practice, a Hearing Examiner is appointed to conduct all further proceedings in this matter on behalf of the Commission, including filing a final report. Such

²⁴ 5 VAC 5-20-10 *et seq.*

final report shall address both Case Nos. PUR-2023-00067 and PUR-2023-00112. A copy of each filing made with the Commission's Clerk's office in this matter shall also be sent electronically to the Office of the Hearing Examiners.²⁵

(6) The Commission hereby schedules a telephonic hearing for the receipt of testimony from public witnesses on the Petition, as follows:

- (a) A hearing for the receipt of testimony from public witnesses on the Petition shall be convened telephonically at 10 a.m. on September 5, 2023, with no witness present in the Commission's courtroom.²⁶
- (b) To promote fairness for all public witnesses, each witness will be allotted five minutes to provide testimony.
- (c) On or before August 29, 2023, any person desiring to offer testimony as a public witness shall provide to the Commission (a) your name, and (b) the telephone number that you wish the Commission to call during the hearing to receive your testimony. This information may be provided to the Commission in three ways: (i) by filling out a form on the Commission's website at scc.virginia.gov/pages/Webcasting; (ii) by completing and emailing the PDF version of this form to SCCInfo@scc.virginia.gov; or (iii) by calling (804) 371-9141.
- (d) Beginning at 10 a.m. on September 5, 2023, the Hearing Examiner assigned will telephone sequentially each person who has signed up to testify as provided above. This hearing will not be convened, and the parties will be notified of such, if no person signs up to testify as a public witness.
- (e) This public witness hearing will be webcast at: scc.virginia.gov/pages/Webcasting.

(7) A public evidentiary hearing on the Petition shall be convened at 10 a.m. on September 6, 2023, in the Commission's second floor courtroom located in the Tyler Building,

²⁵ Such electronic copies shall be sent to OHEParalegals@scc.virginia.gov.

²⁶ The Hearing Examiner will convene counsel of record in this proceeding to attend the public witness hearing virtually.

1300 East Main Street, Richmond, Virginia 23219, to receive testimony and evidence offered by the Company, respondents, and the Staff on the Petition.

(8) An electronic copy of the Company's Petition may be obtained by submitting a written request to counsel for the Company: Elaine S. Ryan, Esquire, McGuireWoods LLP, Gateway Plaza, 800 East Canal Street, Richmond, Virginia 23219, or eryan@mcguirewoods.com. Interested persons also may download unofficial copies from the Commission's website: scc.virginia.gov/pages/Case-Information.

(9) On or before July 24, 2023, the Company shall cause the following notice to be published as display advertising (not classified) on one (1) occasion in newspapers of general circulation throughout the Company's service territory within Virginia:

NOTICE TO THE PUBLIC OF A PETITION BY
VIRGINIA ELECTRIC AND POWER COMPANY
FOR A FINANCING ORDER AUTHORIZING THE
ISSUANCE OF DEFERRED FUEL COST BONDS
PURSUANT TO CODE § 56-249.6:1
CASE NO. PUR-2023-00112

On July 3, 2023, Virginia Electric and Power Company ("Dominion" or "Company") filed a petition ("Petition") with the State Corporation Commission ("Commission"), pursuant to Code § 56-249.6:1, for a financing order to finance certain deferred fuel cost balances through deferred fuel cost bonds. Specifically, the Company seeks:

- i. To finance the deferred fuel costs and associated up-front financing costs through securitization;
- ii. For approval of the proposed securitization financing structure;
- iii. For approval to sponsor the issuance of deferred fuel cost bonds secured by the pledge of deferred fuel cost property, in one or more series or tranches in an aggregate principal amount not to exceed the securitizable balance as of the date the first series deferred fuel cost bonds are issued;

- iv. For approval of the financing costs, including up-front financing costs incurred in connection with the issuance of deferred fuel cost bonds and on-going financing costs;
- v. For approval to create deferred fuel cost property, including the right to (i) impose, bill, charge, collect and receive non-bypassable deferred fuel cost charges sufficient to recover the principal of, and interest on, the deferred fuel cost bonds and on-going financing costs, and (ii) obtain periodic formulaic adjustments to the deferred fuel cost property; and
- vi. For approval of the tariff to implement the deferred fuel cost charges.

During its 2023 Session, the Virginia General Assembly enacted Chapters 775 (HB 1770) and 757 (SB 1265) of the 2023 Virginia Acts of Assembly ("Legislation"). The Legislation became effective on July 1, 2023. As stated in the Petition, the Legislation, *inter alia*, creates a new financing vehicle, utility cost recovery charge securitization, that may be used by an electric utility to recover certain deferred fuel costs, as codified at Code § 56-249.6:1. Under the Legislation, an electric utility may seek authorization to issue deferred fuel cost bonds with lower financing costs that are secured by deferred fuel cost property and include a dedicated fuel cost charge that is separate and distinct from the utility's base rates or fuel factor on customer bills.

Historically, Dominion has recovered its prudently incurred fuel expenses on a dollar-for-dollar basis from its customers through an annual fuel factor adjustment process prescribed by law ("fuel factor"). Dominion's total fuel factor consists of a current period factor ("Current Period Factor") and a prior period factor ("Prior Period Factor"). Generally, the Prior Period Factor includes any fuel deferral balance, which reflects the under-recovery or over-recovery of actual fuel expenses after applying revenues collected through the fuel factor. The Company asserts that the fuel deferral balance continues to be substantial, due in part to significant marketplace commodity price increases during the prior fuel period. Specifically, Dominion's projected June 30, 2023 fuel deferral balance is approximately \$1.275 billion. This balance represents the sum of the projected June 30, 2023 under-recovery of expenses during the July 1, 2022

to June 30, 2023 fuel period, and two-thirds of the remaining June 30, 2022 fuel deferral balance under a three-year mitigation plan adopted by the Commission in Case No. PUR-2022-00064.

As discussed further in the May 12, 2023 Order Establishing 2023-2024 Fuel Factor Proceeding in Case No. PUR-2023-00067, were the Company to seek recovery of both the Current Period Factor and the Prior Period Factor through the fuel factor, a typical residential customer using 1,000 kilowatt-hours ("kWh") per month would see a net increase of \$7.92 per month for the period of July 1, 2023 to June 30, 2024, which is comprised of a \$14.72 recovery of prior period charges and a \$6.79 reduction in current period charges. Instead, in Case No. PUR-2023-00067, Dominion supports implementation of only the Current Period Factor through the fuel factor, which represents a decrease of \$6.79 per month beginning July 1, 2023 for a residential customer using 1,000 kWh per month.

Rather than seeking to implement the Prior Period Factor through the fuel factor, Dominion requests authorization in the present proceeding, pursuant to the Legislation, to issue deferred fuel cost bonds in the amount of approximately \$1.2702 billion, which consists of approximately \$1.2578 billion of deferred fuel costs plus approximately \$12.410 million of up-front financing costs to issue the deferred fuel cost bonds. Dominion states that this amount is an estimate of the June 30, 2023 fuel deferral balance, reduced by the share attributable to the customers who are able to, and elected to, opt out of, or are exempt from, the fuel securitization bond financing. The Company further states that in early August, it will make a supplemental filing in this docket to update the final fuel deferral balance, and that once the final balance is known, it will be able to calculate the final amount that will be subject to securitization.

Dominion seeks to utilize a special purpose entity to issue securitized bonds to finance the fuel deferral balance as of June 30, 2023. The Company asserts that the proceeds from these bonds would be used to satisfy the unrecovered fuel balance and reduce the near-term impact to customers.

According to Dominion, the amortization of these bonds would be structured to provide an annual revenue requirement (including payments of interest, principal, and ongoing financing costs) over the term of the securitization period. Customers subject to the fuel securitization would be billed a separate non-bypassable fuel securitization charge on a per kWh basis

("Deferred Fuel Cost Charge") beginning soon after the issuance of the bonds, which, if approved by the Commission, is expected to occur in early 2024. The Deferred Fuel Cost Charge would be subject to periodic true-ups to ensure that the revenue requirements associated with the bonds are received on a timely basis.

In its Petition, Dominion analyzed two transaction structures for the bonds – one with a scheduled final maturity date of approximately seven years, and one with a scheduled final maturity date of approximately ten years. The Company states that an approximately seven-year amortization of the deferred fuel cost bonds would result in an estimated initial monthly charge to a typical residential customer using 1,000 kWh per month of \$3.05, and the approximately ten-year amortization bond structure would result in an estimated initial monthly charge of \$2.29. As the Company notes, these bill impacts are estimates, as the actual interest rates, terms, tranches, and other characteristics of the bonds will be determined at the time of pricing of the bonds and will depend on prevailing market conditions.

Interested persons are encouraged to review Dominion's Petition and supporting documents in full for details about these and other proposals.

The Commission entered an Order for Notice and Hearing in this proceeding that, among other things, scheduled public hearings on the Company's Petition. The Commission determined that, to the extent practicable, for all purposes including discovery, prefilng testimony, and hearing dates, the procedural schedules in this docket (PUR-2023-00112) and Case No. PUR-2023-00067 (Dominion's fuel factor proceeding) shall be combined – without the cases or case numbers being consolidated.

On September 5, 2023, at 10 a.m., the Hearing Examiner assigned to this case will hold a telephonic hearing, with no witness present in the Commission's courtroom, for the purpose of receiving the testimony of public witnesses. On or before August 29, 2023, any person desiring to offer testimony as a public witness shall provide to the Commission (a) your name, and (b) the telephone number that you wish the Commission to call during the hearing to receive your testimony. This information may be provided to the Commission in three ways: (i) by filling out a form on the Commission's website at scc.virginia.gov/pages/Webcasting; (ii) by completing and emailing the PDF version of this form to SCCInfo@scc.virginia.gov; or (iii) by calling (804) 371-9141.

This public witness hearing will be webcast at scc.virginia.gov/pages/Webcasting.

Beginning at 10 a.m. on September 5, 2023, the Hearing Examiner will telephone sequentially each person who has signed up to testify as provided above.

On September 6, 2023, at 10 a.m., in the Commission's second floor courtroom located in the Tyler Building, 1300 East Main Street, Richmond, Virginia 23219, the Hearing Examiner will convene a hearing to receive testimony and evidence related to the Petition from the Company, any respondents, and the Commission's Staff.

To promote administrative efficiency and timely service of filings upon participants, the Commission has directed the electronic filing of testimony and pleadings, unless they contain confidential information, and required electronic service on parties to this proceeding.

An electronic copy of the public version of the Company's Petition may be obtained by submitting a written request to counsel for the Company: Elaine S. Ryan, Esquire, McGuireWoods LLP, Gateway Plaza, 800 East Canal Street, Richmond, Virginia 23219, or eryan@mcguirewoods.com. Interested persons also may download unofficial copies of the public version of the Petition and other documents filed in this case from the Commission's website: scc.virginia.gov/pages/Case-Information.

On or before August 29, 2023, any interested person may submit comments on the Petition by following the instructions found on the Commission's website: scc.virginia.gov/casecomments/Submit-Public-Comments. Those unable, as a practical matter, to submit comments electronically may file such comments by U.S. mail to the Clerk of the State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118. All such comments shall refer to Case Nos. PUR-2023-00067 and PUR-2023-00112.

On or before August 1, 2023, any person or entity wishing to participate as a respondent in this proceeding may do so by filing a notice of participation at scc.virginia.gov/clk/efiling. Those unable, as a practical matter, to file a notice of participation electronically may file such notice at the address listed above. Such notice of participation shall include the email addresses of such parties or their counsel, if available. The respondent

simultaneously shall serve a copy of the notice of participation on counsel to the Company. Pursuant to 5 VAC 5-20-80 B, *Participation as a respondent*, of the Commission's Rules of Practice and Procedure ("Rules of Practice"), any notice of participation shall set forth: (i) a precise statement of the interest of the respondent; (ii) a statement of the specific action sought to the extent then known; and (iii) the factual and legal basis for the action. Any organization, corporation, or government body participating as a respondent must be represented by counsel as required by 5 VAC 5-20-30, *Counsel*, of the Rules of Practice. All filings shall refer to Case Nos. PUR-2023-00067 and PUR-2023-00112. For additional information about participation as a respondent, any person or entity should obtain a copy of the Commission's Order for Notice and Hearing.

On or before August 9, 2023, each respondent may file with the Clerk of the Commission, at scc.virginia.gov/clk/efiling, any testimony and exhibits by which the respondent expects to establish its case. Any respondent unable, as a practical matter, to file testimony and exhibits electronically may file such by U.S. mail to the Clerk of the Commission at the address listed above. Each witness's testimony shall include a summary not to exceed one page. All testimony and exhibits shall be served on the Staff, the Company, and all other respondents simultaneous with its filing. In all filings, respondents shall comply with the Rules of Practice, as modified herein, including, but not limited to: 5 VAC 5-20-140, *Filing and service*, and 5 VAC 5-20-240, *Prepared testimony and exhibits*. All filings shall refer to Case Nos. PUR-2023-00067 and PUR-2023-00112.

Any documents filed in paper form with the Office of the Clerk of the Commission in this docket may use both sides of the paper. In all other respects, except as modified by the Commission's Order for Notice and Hearing, all filings shall comply fully with the requirements of 5 VAC 5-20-150, *Copies and format*, of the Rules of Practice.

The public version of the Company's Petition, the Commission's Rules of Practice, the Commission's Order for Notice and Hearing, and other documents filed in the case may be viewed at: scc.virginia.gov/pages/Case-Information.

VIRGINIA ELECTRIC AND POWER COMPANY

(10) The Company shall serve each official listed in 20 VAC 5-204-10 J 1 as provided by 20 VAC 5-204-10 J 2.

(11) On or before August 1, 2023, the Company shall file proof of the notice and service required by Ordering Paragraphs (9) and (10), including the name, title, address, and electronic mail address (if applicable) of each official served, with the Clerk of the Commission at scc.virginia.gov/clk/efiling.

(12) On or before August 29, 2023, any interested person may submit comments on the Petition by following the instructions found on the Commission's website: scc.virginia.gov/casecomments/Submit-Public-Comments. Those unable, as a practical matter, to submit comments electronically may file such comments by U.S. mail to the Clerk of the State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118. All comments shall refer to Case Nos. PUR-2023-00067 and PUR-2023-00112.

(13) On or before August 1, 2023, any person or entity wishing to participate as a respondent in this proceeding may do so by filing a notice of participation with the Clerk of the Commission at scc.virginia.gov/clk/efiling. Those unable, as a practical matter, to file a notice of participation electronically may file such notice by U.S. mail to the Clerk of the Commission at the address listed in Ordering Paragraph (12). Such notice of participation shall include the email addresses of such parties or their counsel, if available. The respondent simultaneously shall serve a copy of the notice of participation on counsel to the Company. Pursuant to 5 VAC 5 20 80 B, *Participation as a respondent*, of the Commission's Rules of Practice, any notice of participation shall set forth: (i) a precise statement of the interest of the respondent; (ii) a statement of the specific action sought to the extent then known; and (iii) the factual and legal basis for the action. Any organization, corporation, or government body participating as a

respondent must be represented by counsel as required by 5 VAC 5-20-30, *Counsel*, of the Rules of Practice. All filings shall refer to Case Nos. PUR-2023-00067 and PUR-2023-00112.

(14) Within five (5) business days of receipt of a notice of participation as a respondent, the Company shall serve upon the respondent a copy of the public version of the Petition and supporting materials, unless these materials already have been provided to the respondent.

(15) On or before August 9, 2023, each respondent may file with the Clerk of the Commission, at scc.virginia.gov/clk/efiling, any testimony and exhibits by which the respondent expects to establish its case. Any respondent unable, as a practical matter, to file testimony and exhibits electronically may file such by U.S. mail to the Clerk of the Commission at the address listed in Ordering Paragraph (12). Each witness's testimony shall include a summary not to exceed one page. A copy of all testimony and exhibits shall be served on the Staff, the Company, and all other respondents. In all filings, respondents shall comply with the Rules of Practice, as modified herein, including, but not limited to: 5 VAC 5 20 140, *Filing and service*, and 5 VAC 5-20-240, *Prepared testimony and exhibits*. All filings shall refer to Case Nos. PUR-2023-00067 and PUR-2023-00112.

(16) The Staff shall investigate the Petition. On or before August 9, 2023, the Staff shall file with the Clerk of the Commission its testimony and exhibits, and each Staff witness's testimony shall include a summary not to exceed one page. Such shall be filed in both Case Nos. PUR-2023-00067 and PUR-2023-00112. The Staff shall serve a copy thereof on counsel to the Company and all respondents.

(17) On or before August 22, 2023, Dominion shall file with the Clerk of the Commission any rebuttal testimony and exhibits that it expects to offer, and each rebuttal witness's testimony shall include a summary not to exceed one page. Such shall be filed in both

Case Nos. PUR-2023-00067 and PUR-2023-00112. The Company shall serve a copy of its rebuttal testimony and exhibits on the Staff and all respondents.

(18) Any documents filed in paper form with the Office of the Clerk of the Commission in this docket may use both sides of the paper. In all other respects, except as modified by Ordering Paragraph (1), all filings shall comply fully with the requirements of 5 VAC 5-20-150, *Copies and format*, of the Commission's Rules of Practice.

(19) The Commission's Rule of Practice 5 VAC 5-20-260, *Interrogatories to parties or requests for production of documents and things*, shall be modified for this proceeding as follows: responses and objections to written interrogatories and requests for production of documents shall be served within five (5) business days after receipt of the same. In addition to the service requirements of 5 VAC 5-20-260 of the Rules of Practice, on the day that copies are filed with the Clerk of the Commission, a copy of the interrogatory or request for production shall be served electronically on the party to whom the interrogatory or request for production is directed or the assigned Staff attorney, if the interrogatory or request for production is directed to the Staff.²⁷ Except as modified herein, discovery shall be in accordance with Part IV of the Commission's Rules of Practice, 5 VAC 5-20-240 *et seq.*

(20) This matter is continued.

Commissioner Patricia L. West participated in this matter.

A COPY hereof shall be sent electronically by the Clerk of the Commission to all persons on the official Service List in this matter. A Copy hereof shall also be sent electronically by the

²⁷ The assigned Staff attorney is identified on the Commission's website, scc.virginia.gov/pages/Case-Information, by clicking "Docket Search," then clicking "Search by Case Information," and entering the case number, PUR-2023-00112, in the appropriate box.

Clerk of the Commission to all persons on the official Service List in Case No.

PUR-2023-00067. The Service Lists are available from the Clerk of the Commission.